

WARRICK COUNTY COUNCIL

RESOLUTION NO. 2018 - 09

**A RESOLUTION CONFIRMING THE DECLARATION OF AN ECONOMIC
REVITALIZATION AREA FOR REAL PROPERTY AND PERSONAL PROPERTY TAX
ABATEMENT**
(Powerup Inc. d/b/a PBTT Corp.)

WHEREAS, Powerup Inc. d/b/a PBTT Corp. (the "Applicant") has made application for Economic Revitalization Area designation pursuant to IC 6-1.1-12.1 et seq. and for Tax Phase-In for real property located in Warrick County, Indiana and described as:

Parcel Number: 87-13-19-101-005.000-019 and 87-13-19-101-006.000-019 and as more commonly known as 5622 Vann Road, Newburgh, Indiana and particularly described in Exhibit A attached hereto, which includes its legal description (the "Property").

WHEREAS, on the 14th day of June, 2018, under provision of Preliminary Resolution No. 2018-07 (the "Preliminary Resolution"), the Warrick County Council ("County Council") found the Property to meet the requirements of an Economic Revitalization Area, pursuant to IC 6-1.1-12.1 et seq., and declared the Property to be an Economic Revitalization Area and further approved property tax deductions for real and personal property taxes for ten (10) years commencing with the increased assessed value on each separate phase as more specifically set forth in that Preliminary Resolution; and

WHEREAS, notice of the adoption and substance of the Preliminary Resolution has been published in accordance with IC 5-3-1 and the County Council has conducted a public hearing as of the date hereof to determine whether the qualifications for an Economic Revitalization Area and approve property tax deductions for real and personal property taxes have been met.

NOW, THEREFORE, BE IT RESOLVED by the Warrick County Council as follows:

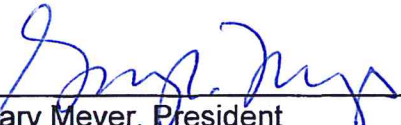
Section 1. The Property, including the attached Exhibit A, is made a part hereof.

Section 2. The Preliminary Resolution, which was adopted by the County Council on the 14th day of June, 2018, is hereby confirmed.

Section 3. This Confirming Resolution shall be in full force and effect from and after its passage and execution by the County Council.

PASSED, ISSUED, AND APPROVED by the County Council this 5th day of July, 2018.

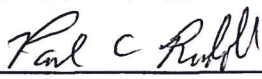
Warrick County Council



Gary Meyer, President



David Hachmeister



Paul Rudolph



Charlie Christmas



Greg Richmond, Vice President



Brad Overton



Ted Metzger

Attest:


County Auditor

EXHIBIT A
RESOLUTION 2018 -
LEGAL DESCRIPTION

2304



2011R-000083
PATRICIA A BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
01/03/2011 2:37 PM
RECEIVED 2010
PAGE: 3

87-13-19-101-000,000-019
87-13-19-101-000,000-019
SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, That Rine Enterprises, LLC, an Indiana limited liability company, hereinafter referred to as Grantor, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration which is hereby acknowledged, hereby WARRANTS to the extent hereinafter set forth and CONVEYS to BNF Properties, LLC, the following described real estate located in Warrick County, State of Indiana:

Lots Number Five (5) and Six (6) in Warrick Research & Industrial Center No. 1, a subdivision of a part of the South Half of the Northwest Quarter and a part of the West Half of the Northeast Quarter in Section Nineteen (19), Township Six (6) South, Range Eight (8) West in Warrick County, Indiana, as per plat thereof recorded in Plat File 1, Card 405 in the office of the Recorder of Warrick County, Indiana.

Subject to the following:

Fifty (50) foot front building line along Vann Road,

Twenty (20) foot rear public utility and drainage easement and Ten (10) foot public utility and drainage easement along the West boundary of Lot Five (5).

Sanitary Sewer Easement from Maken Corporation to the Town of Newburgh, Indiana dated October 18, 1996 and recorded October 24, 1996 as Instrument No. 1996M-010168.

Sewer Agreement (Sunrise Estates) between the Town of Newburgh, Indiana, a municipal corporation and Jeffery O. Gardner and Pamela Gardner, dated March 8, 2000 and recorded March 31, 2000 as Instrument No. 2000R-003044.
NOTE: This Sewer Agreement may contain an erroneous legal description.

Electric Line and Gas Pipe Line Easement granted Southern Indiana Gas and Electric Company by instrument dated July 6, 2000 and recorded August 24, 2000 as Instrument No. 2000R-008517.

Memorandum of Agreement between Citizens National Bank of Evansville, as Trustee for the John Bertram Tisserand Irrevocable Trust and Meadowlark, Inc., dated September 9, 1986 and recorded September 12, 1986 in Miscellaneous File 3, card 17789.

All prior recorded conveyances, reservations and leases of the coal, oil, gas and other minerals and interests are hereby excepted from the coverage of this policy, including but not limited to:

a. Coal Lease between Chester A. Hedges and Mary E. Hedges, his wife, and Northern Illinois Coal Corporation, dated January 9, 1948 and recorded March 20, 1948 in Miscellaneous Record 32, page 74-75, as assigned to Ayrshire Collieries Corporation by instrument recorded in Miscellaneous Record 43, pages 447-8 and Affidavit of Non Development executed by Chester A Hedges on April 5, 1957 in Miscellaneous Record 52, page 138;

b. Reservation of 1/16 royalty interest in all oil and gas produced and removed from said real estate contained in Special Corporate Warranty Deed from Meadowlark Inc., an Indiana corporation to Maken Corporation, an Indiana corporation, dated September 10, 1986 and recorded September 12, 1986 in Deed File 2, card 18017.

c. Reservation of 1/16 royalty interest in all oil and gas produced and removed from said real estate contained in Quitclaim Deed from Meadowlark Inc. to Maken Corporation, dated September 8, 1988 and recorded October 19, 1988 in Deed File 3, card 3789.

Dedication of Road Right-of-way to Warrick County, Indiana, dated August 6, 1984 and recorded November 2, 1984 in Miscellaneous File 2, card 14167-1.

Terms and provisions of unrecorded Agreement for Shared Entranceway and Driveway Area by and between Maken Corporation and Rine Enterprises, LLC, dated April 14, 2005.

Real Estate taxes for the year 2010, payable in 2011, and all subsequent taxes which Grantee herein assumes and agrees to pay;

The undersigned person executing this Deed on behalf of Grantor represents and certifies that he is the duly elected officer of Grantor and has been fully empowered by proper resolution of the Board of Directors of Grantor to execute and deliver this Deed; that Grantor has full corporate capacity to convey the real estate hereby conveyed; and that all necessary action for the making of such conveyance has been taken and done;

Grantor only warrants to Grantee that the title to the above described real estate is free and clear from any and all liens, encumbrances or claims of every description imposed by Grantor or suffered to accrue by Grantor, except for the hereinabove mentioned lien of current taxes.

Grantor assigns and transfers to Grantee the benefit of all warranties in the chain of title to the above described real estate and any and all rights which may now exist or

may hereafter accrue by reason of or on account of said warranties.

IN WITNESS WHEREOF, The said Rine Enterprises, LLC has caused this Deed to be executed in its name and on its behalf by its duly authorized officer this 30 day of October 2010.

RINE ENTERPRISES, LLC

By

James L. Rine
(Signature)

James L. Rine
(Printed Name and Title) member

STATE OF Indiana ss:
COUNTY OF Vanderburgh

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named James L. Rine, personally known to me to be the Member of Rine Enterprises, LLC, who acknowledged the execution of the foregoing deed for and on behalf of said Rine Enterprises, LLC.

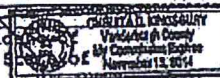
WITNESS my hand and Notarial Seal, this 30th day of October, 2010.

My Commission Expires:

Signature

Printed Name

Notary Public is a resident of
County, State of



10120004

Property Address: 5122 View Pointe Newburgh IN 47630

Address of Grantee: 5701 Old Barnum Highway Evansville IN 47715

Mail tax duplicates to 5701 Old Barnum Highway Evansville IN 47715

THIS INSTRUMENT PREPARED BY DEAN LOPEZ, ATTORNEY-AT-LAW.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Dean Lopez (Signature)

Duly Entered For Taxation Subject
To Final Acceptance For Transfer

JAN 03 2011

William
WARRICK CO AUDITOR